IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 674 OF 2005

IN

WRIT PETITION NO.2741 OF 2005

RASHTRIYA CHEMICALS AND
FERTILIZERS LTD., . .. Petitioners

vs.

VISHAL SHARMA .. Respondent.

Mr. Girish Kulkarni i/by M.S. Bodhanwala
& Co. for petitioners.
Mr. R.D. Bhatt for respondent .

CORAM : S.U. KAMDAR, J.
DATE : 6th March, 2006.

P.C.:

. The present notice of motion has been taken out for setting aside the interim order granted on 16.11.2005 and in alternative the application is made under section 17-B of the Industrial Disputes Act, 1947. In so far as the vacating the interim order is concerned, the question of the same does not arise as it is an admitted position that on 14.11.2005 the respondent was given notice of the

application and thereafter only the matter was moved on 16.11.2005. Inspite of the notice the respondent chose not to remain present and, therefore, the question of vacating the interim order does not arise.

2. In so far as section 17-B of the Industrial Disputes Act, 1947 is concerned, the learned counsel for the petitioner states that they will deposit the amount with effect from 1.12.2003 at the rate of 1500/- per month which was the last drawn wages of the respondent herein. The arrears to be deposited within a period of two weeks from today. On such deposit being made, the plaintiff will be entitled to withdraw the same on giving an undertaking that in an event of his failure in the petition, the amount will be reimbursed. Hearing of the writ petition expedited. Notice of Motion disposed of accordingly. No order as to costs.